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June 30, 2005

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Esq.  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: MB Docket No. 03-15  
KOAA-DT, Pueblo, Colorado (Facility ID No. 59014)  
FCC File No. BPCDT-19991029AGS  
Request for Waiver of July 1, 2005 Replication/Maximization Deadline

Dear Ms. Dortch:

As a precautionary measure, Sangre De Cristo Communications, Inc. ("Sangre De Cristo"), permittee of television station KOAA-DT (Pueblo, Colorado) (the "Station"), by its attorneys, hereby requests waiver of the Commission's July 1, 2005 replication/maximization interference protection deadline. Sangre De Cristo's current construction permit for KOAA-DT does not expire until November 12, 2005 (FCC File No. BPCDT-19991029AGS).

In its *Second DTV Periodic Review Report and Order*,<sup>1</sup> the Commission adopted replication/maximization interference protection deadline for DTV licensees. Stations affiliated with the top-four networks in the top 100-ranked designated market areas that held construction permits with deadlines extending beyond July 1, 2005 were required to implement replication or maximization facilities by the expiration date specified in their construction permit.<sup>2</sup> On November 12, 2004, the Commission granted Sangre De Cristo a construction permit for KOAA-DT with an expiration date of November 12, 2005. On June 15, 2005, the Commission released a Public Notice explaining, among other things, that any station with a construction permit expiring after July 1 automatically would have its replication maximization deadline extended to the expiration date of its construction permit.<sup>3</sup> In an abundance of caution, however,

<sup>1</sup> Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, *Report and Order*, 19 FCC Rcd 18279 (rel. Sept. 7, 2004).

<sup>2</sup> *Id.*, ¶¶ 78, 84.

<sup>3</sup> *Public Notice*, DTV Channel Election Issues – Compliance with the July 1, 2005 Replication Maximization Interference Protection deadline; Stations Seeking Extension of the Deadline, DA 05-1636 (rel. June 15, 2005).

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and to the extent necessary, Sangre De Cristo respectfully requests that the Commission waive the July 1, 2005 interference protection deadline for KOAA-DT until and through the expiration of the Station's construction permit.

Please contact me if you have any questions about this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott Patrick", with a long, sweeping flourish extending from the end.

Scott S. Patrick

cc: Shaun Maher (FCC)